

**FILED**

March 14, 2003

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

DAVID SAMSON  
ATTORNEY GENERAL OF NEW JERSEY  
Division of Law  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07102  
Attorney for Board of Medical Examiners

By: Swang OO  
Deputy Attorney General  
973-648-7093

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF **MEDICAL** EXAMINERS

IN THE MATTER OF THE LICENSE OF

**RICHARD J. KARPF, M.D.**  
**MA 44384**

: Administrative Action

TO PRACTICE MEDICINE AND SURGERY  
IN THE STATE OF NEW JERSEY

**CONSENT ORDER OF  
VOLUNTARY SURRENDER  
WITHOUT PREJUDICE**

This matter was opened to **the** State Board of **Medical** Examiners (the "Board") upon **receipt** of notice that Richard J. Karpf, M.D. ("respondent") was arrested in the State of **New** York on January 8, 2003 and was arraigned **on** charges of three counts of weapons possession on or about January 9, 2003. The doctor being desirous of resolving this matter, without admissions, and on an interim basis, and the Board having found the within disposition adequately protective of the **public** health, safety and welfare,

IT IS ON THIS 28<sup>th</sup> DAY OF February, 2003

**CERTIFIED TRUE COPY**

ORDERED:

1. Respondent, Richard J. Karpf, M.D., is hereby granted leave and shall immediately surrender his license to practice medicine and surgery in *the* State of New Jersey pending the outcome of the criminal charges referenced herein.

2. Upon proof of resolution of the criminal charges, respondent is granted leave to petition for an appearance before a committee of the Board at which time he shall demonstrate his fitness to engage in the practice of medicine and **the** status of his medical license in **all** other jurisdictions.

3. Respondent shall immediately return his original New Jersey **license** and current biennial registration to the New Jersey State Board of Medical Examiners, 140 Front Street, Second Floor, P.O. Box 183, Trenton, New Jersey 08608-0183.

4. Respondent shall immediately return his original CDS registration to *the* New Jersey State Board of **Medical** Examiners, 140 Front Street, Second Floor, P.O. Box 183, Trenton, New Jersey 08608-0183, immediately upon receipt of this Order and shall not prescribe *or* dispense any Controlled Dangerous Substances unless and until said registration is restored.

5. Respondent shall immediately advise the DEA of this Order.

6. Respondent shall comply with the "Directives **Applicable** to Any Medical Board Licensee Who is Suspended, Revoked, *or* Whose

Surrender of Licensure has been **Accepted**" which is attached hereto and made a part hereof.

7. By this Order Respondent makes no admission of wrongdoing. This Order is entered without prejudice to the further investigation and prosecution of this matter by the Attorney General.

STATE BOARD OF MEDICAL EXAMINERS

By: William V. Harrer, M.D., B.L.D.  
William V. Harrer, M.D., B.L.D.  
Board President

I have read and understood the within Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.

Richard J. Karpf, M.D.  
Richard J. Karpf, M.D.

Consented to as to form

Stephen P. Scaring, Esq.  
Stephen P. Scaring, Esq.

**DIRECTIVES APPLICABLE TO ANY MEDICAL BOARD LICENSEE  
WHO IS DISCIPLINED OR WHOSE SURRENDER OF LICENSE  
HAS BEEN ACCEPTED**

**APPROVED BY THE BOARD ON MAY 10, 2000**

All licensees who are the subject of a disciplinary order of the Board are required to provide the information required on the addendum to these directives. The information provided will be maintained separately and will not be part of the public document filed with the Board. Failure to provide the information required may result in further disciplinary action for failing to cooperate with the Board, as required by N.J.A.C. 13:45C-1 et seq. Paragraphs 1 through 4 below shall apply when a license is suspended or revoked or permanently surrendered, with or without prejudice. Paragraph 5 applies to licensees who are the subject of an order which, while permitting continued practice, contains a probation or monitoring requirement.

**1. Document Return and Agency Notification**

The licensee shall promptly forward to the Board office at Post Office Box 183, 140 East Front Street, 2nd floor, Trenton, New Jersey 08625-0183, the original license, current biennial registration and, if applicable, the original CDS registration. In addition, if the licensee holds a Drug Enforcement Agency (DEA) registration, he or she shall promptly advise the PEA of the licensure action. (With respect to suspensions of a finite term, at the conclusion of the term, the licensee may contact the Board office for the return of the documents previously surrendered to the Board. In addition, at the conclusion of the term, the licensee should contact the DEA to advise of the resumption of practice and to ascertain the impact of that change upon his/her DEA registration.)

**2. Practice Cessation**

The licensee shall cease and desist from engaging in the practice of medicine in this State. This prohibition not only bars a licensee from rendering professional services, but also from providing an opinion as to professional practice or its application, or representing him/herself as being eligible to practice. (Although the licensee need not affirmatively advise patients or others of the revocation, suspension or surrender, the licensee must truthfully disclose his/her licensure status in response to inquiry.) The disciplined licensee is also prohibited from occupying, sharing or using office space in which another licensee provides health care services. The disciplined licensee may contract for, accept payment from another licensee for or rent a fair market value office premises and/or equipment. In no case may the disciplined licensee authorize, allow or condone the use of his/her provider number by any health care practice or any other licensee or health care provider. (In situations where the licensee has been suspended for less than one year, the licensee may accept payment from another professional who is using his/her office during the period that the licensee is suspended, for the payment of salaries for office staff employed at the time of the Board action.)

A licensee whose license has been revoked, suspended for one (1) year or more or permanently surrendered must remove signs and take affirmative action to stop advertisements by which his/her eligibility to practice is represented. The licensee must also take steps to remove his/her name from professional listings, telephone directories, professional stationery, or billings. If the licensee's name is utilized in a group practice title, it shall be deleted. Prescription pads bearing the licensee's name shall be destroyed. A destruction report form obtained from the Office of Drug Control (973-504-6558) must be filed. If no other licensee is providing services at the location, all medications must be removed and returned to the manufacturer, if possible, destroyed or safeguarded. (In situations where a license has been suspended for less than one year, prescription pads and medications need not be destroyed but must be secured in a locked place for safekeeping.)

### 3. Practice Income Prohibitions/Divestiture of Equity Interest in Professional Service Corporations and Limited Liability Companies

A licensee shall not charge, receive or share in any fee for professional services rendered by him/herself or others while barred from engaging in the professional practice. The licensee may be compensated for the reasonable value of services lawfully rendered and disbursements incurred on a patient's behalf prior to the effective date of the Board action.

A licensee who is a shareholder in a professional service corporation organized to engage in the professional practice, whose license is revoked, surrendered or suspended for a term of one (1) year or more shall be deemed to be disqualified from the practice within the meaning of the Professional Service Corporation Act. (N.J.S.A. 14A:17-11). A disqualified licensee shall divest him/herself of all financial interest in the professional service corporation pursuant to N.J.S.A. 14A:17-13(c). A licensee who is a member of a limited liability company organized pursuant to N.J.S.A. 42:1-44, shall divest him/herself of all financial interest. Such divestiture shall occur within 90 days following the entry of the Order rendering the licensee disqualified to participate in the applicable form of ownership. Upon divestiture, a licensee shall forward to the Board a copy of documentation forwarded to the Secretary of State, Commercial Reporting Division, demonstrating that the interest has been terminated. If the licensee is the sole shareholder in a professional service corporation, the corporation must be dissolved within 90 days of the licensee's disqualification.

### 4. Medical Records

If, as a result of the Board's action, a practice is closed or transferred to another location, the licensee shall ensure that during the three (3) month period following the effective date of the disciplinary order, a message will be delivered to patients calling the former office premises, advising where records may be obtained. The message should inform patients of the names and telephone numbers of the licensee (or his/her attorney) assuming custody of the records. The same information shall also be disseminated by means of a notice to be published at least once per month for three (3) months in a newspaper of

**general** circulation in the geographic vicinity in which the practice **was** conducted. **At the end** of the **three** month period, **the** licensee **shall** file with the **Board** the name and telephone number of the contact **person** who **will have access to** medical records of former patients. **Any** change in that individual or his/her **telephone** number shall **be** promptly **reported** to the **Board**. When a patient or his/her representative requests a copy of his/her medical record or **asks** that **record be** forwarded to **another** health care provider, the licensee shall promptly provide the record without charge to the patient.

## **5. Probation/Monitoring Conditions**

With respect to any **licensee** who **is** the **subject** of any **Order imposing** a probation or monitoring requirement or a **stay** of an active **suspension**, in **whole or** in part, which is **conditioned** upon compliance **with** a probation or monitoring requirement, **the** licensee shall fully cooperate with the Board and its **designated representatives**, including the Enforcement Bureau of the Division of Consumer **Affairs**, in ongoing monitoring of **the licensee's status** and practice. Such monitoring shall **be at the expense** of the disciplined practitioner.

(a) Monitoring of practice conditions may include, **but is not** limited to, inspection of the **professional premises and** equipment, **and** inspection and copying of patient records (confidentiality of patient identity **shall be protected by** the Board) **to** verify compliance with the Board Order and accepted standards of practice.

(b) Monitoring of **status** conditions for an impaired practitioner **may** include, **but** is not limited to, practitioner cooperation in **providing releases** permitting unrestricted **access** to records and other information **to the extent permitted by law** from **any** treatment facility, other treating practitioner, support group or other individual/facility involved in the education, treatment, monitoring or oversight of the practitioner, or maintained by a rehabilitation program for impaired practitioners. **If bodily** substance monitoring has been ordered, the practitioner shall fully cooperate **by** responding to a **demand** for breath, **blood**, urine or other sample in a timely manner and providing **the** designated sample.

NJ License # .

### ADDENDUM

Any licensee who **is** the **subject** of an order of the **Board** suspending, revoking or otherwise conditioning the license, shall **provide the** following information at the time that the **order is signed**, if it **is** entered by consent, or immediately after service of a fully executed order entered **after** a hearing. The information **required** here **is** necessary for the Board to fulfill its reporting obligations:

Social **Security** Number': \_\_\_\_\_

List the Name **and Address** of any and all Health Care Facilities with which you are affiliated:

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List the Names and **Address** of any **and** all Health Maintenance Organizations with which you are affiliated:

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Provide **the** names and **addresses** of every person with whom you are associated in your professional practice: (You may attach a blank sheet of stationery bearing this information).

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<sup>t</sup> Pursuant to 45 CFR Subtitle A Section 61.7 **and** 45 CFR Subtitle A Section 60.8, the Board is required to obtain your Social Security Number and/or **federal taxpayer** identification number in order to **discharge its** responsibility to report adverse actions to the National Practitioner Data Bank **and** the HIP Data Bank.

**NOTICE OF REPORTING 'PRACTICES OF BOARD  
REGARDING DISCIPLINARY ACTIONS**

Pursuant to **N.J.S.A. 52:14B-3(3)**, all **orders** of the **New Jersey State Board of Medical Examiners** are available for public inspection. Should any inquiry be made concerning the status of a licensee, **the** inquirer will be informed of the existence of the order and a copy **will** be provided if requested. **All** evidentiary hearings, proceedings on motions or other applications which are conducted as public hearings **and** the record, **including** the transcript **and documents marked in evidence, are** available for **public inspection, upon request.**

Pursuant to **45 CFR** Subtitle A 60.8, the Board is **obligated** to report to the National Practitioners Data Bank **any action** relating to a physician which is based on **reasons relating to professional competence or professional conduct:**

- (1) Which revokes or suspends (or otherwise **restricts**) a license,
- (2) Which censures, reprimands or places on probation,
- (3) Under which a license **is** surrendered.

Pursuant to **45 CFR** Section 61.7, the Board is obligated to **report to the Healthcare Integrity and Protection (HIP) Data Bank**, any formal or official actions, such as revocation or suspension of a license (and the length of any such **suspension**), reprimand, censure or probation or **any** other loss of license or the right to apply for, or renew, a license of the provider, supplier, or **practitioner**. whether by operation of law, voluntary **surrender**, non-renewability, **or** otherwise, **or any** other negative action or finding by such **Federal** or State **agency** that is publicly available information.

Pursuant to **N.J.S.A. 45:9-19.13**, if **the Board refuses to issue, suspends, revokes or otherwise places conditions on** a license or permit, it is obligated to notify each licensed **health care facility and** health maintenance organization with which a licensee is affiliated and every other board licensee in this state with whom he or she is directly associated in **private medical practice.**

In **accordance with an agreement** with the Federation of State Medical Boards of the **United States**, a list of **all** disciplinary orders are provided to that organization on a monthly basis.

Within the month following entry of an order, a summary of the order **will** appear on the public agenda **for** the next monthly **Board** meeting and is **forwarded** to those members of the **public requesting a copy**. In addition, the same summary will appear in **the minutes** of that **Board** meeting, which **are** also made available to those **requesting a copy.**

Within **the** month following entry of an order, a summary of the order will **appear** in a Monthly Disciplinary Action Listing which **is** made available to those members of the **public** requesting a copy.

On a periodic basis the Board **disseminates** to its licensees a newsletter which includes a brief description of all of the **orders** entered by **the** Board.

From **time to time**, the Press Office of the Division of Consumer Affairs may issue releases including the summaries of the content of public **orders.**

Nothing herein is intended in any way to limit the Board, **the** Division or the Attorney General from disclosing **any** public document.